

Original
ORIGINAL

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 Attorneys for Plaintiff
 Hawaii Children's Blood And Cancer Group

7223-0
 6909-0

LODGED

201P JAN 17 2006

**CLERK, U.S. DISTRICT COURT
 DISTRICT OF HAWAII**

**FILED IN THE
 UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII**

JAN 18 2006

at 11 o'clock and 15 min. M
 SUE BEITIA, CLERK

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF HAWAII**

Hawaii Children's Blood and
 Cancer Group,

Plaintiff,

vs.

Hawai'i Pacific Health; Kapi'olani
 Medical Specialists; Kapi'olani
 Medical Center for Women and
 Children,

Defendants.

-) Civil No. CV 03-00708 SOM/LEK
-)
-) PLAINTIFF HAWAII CHILDREN'S
-) BLOOD AND CANCER GROUP'S EX
-) PARTE MOTION TO SHORTEN TIME
-) FOR HEARING ON PLAINTIFF'S
-) MOTION TO STRIKE OR DISMISS
-) DEFENDANTS' RENEWED MOTION
-) TO DISMISS, OR IN THE
-) ALTERNATIVE, TO STAY
-) PROCEEDINGS PENDING
-) RESOLUTION OF THE
-) CONCURRENT STATE OF HAWAII
-) CIRCUIT COURT CASE, OR TO
-) CONTINUE TRIAL, FILED JANUARY
-) 11, 2006 WITHOUT LEAVE TO FILE
-) AFTER THE DECEMBER 21, 2005
-) DISPOSITIVE MOTIONS DEADLINE;
-) DECLARATION OF RAFAEL G. DEL
-) CASTILLO; ~~ORDER GRANTING~~
-) PLAINTIFF HAWAII CHILDREN'S
-) BLOOD AND CANCER GROUP'S EX
-) PARTE MOTION TO SHORTEN TIME
-) FOR HEARING ON PLAINTIFF'S
-) MOTION TO STRIKE OR DISMISS
- ~~) DEFENDANTS' RENEWED MOTION~~

) TO DISMISS, OR IN THE
) ALTERNATIVE, TO STAY
) PROCEEDINGS PENDING
) RESOLUTION OF THE
) CONCURRENT STATE OF HAWAII
) CIRCUIT COURT CASE, OR TO
) CONTINUE TRIAL, FILED JANUARY
) 11, 2006 WITHOUT LEAVE TO FILE
) AFTER THE DECEMBER 21, 2005
) DISPOSITIVE MOTIONS DEADLINE;
) CERTIFICATE OF SERVICE
)
) JUDGE: Hon. Susan Oki Mollway,
) U.S. District Judge
) Hon. Leslie E. Kobayashi,
) U.S. Magistrate Judge
)
) TRIAL: MAY 23, 2006
) 9:00 a.m.

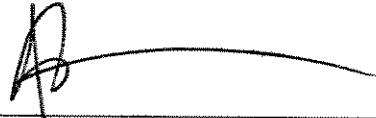
PLAINTIFF HAWAII CHILDREN'S BLOOD AND CANCER GROUP'S
EX PARTE MOTION TO SHORTEN TIME FOR HEARING ON
PLAINTIFF'S MOTION TO STRIKE OR DISMISS DEFENDANTS'
RENEWED MOTION TO DISMISS, OR IN THE ALTERNATIVE,
TO STAY PROCEEDINGS PENDING RESOLUTION OF THE CON-
CURRENT STATE OF HAWAII CIRCUIT COURT CASE, OR TO CON-
TINUE TRIAL, FILED JANUARY 11, 2006 WITHOUT LEAVE TO FILE
AFTER THE DECEMBER 21, 2005 DISPOSITIVE MOTIONS DEADLINE

Plaintiff Hawaii Children's Blood and Cancer Group, by and through
its undersigned counsel, hereby moves this honorable Court for an order shortening
the time for hearing on Plaintiff's Motion to Strike or Dismiss Defendants'
Renewed Motion To Dismiss, Or In The Alternative, To Stay Proceedings Pending
Resolution Of The Concurrent State Of Hawaii Circuit Court Case, Or To
Continue Trial, filed January 11, 2006, Without Leave To File After The

December 21, 2005 Dispositive Motions Deadline, presently set for hearing before the Honorable Susan Oki Mollway on February 13, 2006 at 9:00 a.m. An order shortening time for hearing on Plaintiff's Motion to Strike or Dismiss Defendants' Renewed Motion to Dismiss, which was filed 3 weeks after the deadline for dispositive motions set by the Amended Rule 16 Scheduling Order, is justified because Plaintiff must file and serve its Opposition to Defendants' Renewed Motion to Dismiss on or before January 26, 2006 pursuant to Local Rule 7.4, and because the Court and the parties will be spared the time and expense of proceeding on Defendants' Renewed Motion to Dismiss if Plaintiff's Motion to Strike or Dismiss is granted.

Plaintiff submits this Ex Parte Motion pursuant to Rules 6(d) and 7, Federal Rules of Civil Procedure, Rules 7.1, 7.2(b) of the Local Rules of Practice for the United States District Court for the District of Hawaii, the Declaration of Rafael G. del Castillo, and the record and files herein.

Dated: Honolulu, Hawai'i, January 16, 2006



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 Attorneys for Plaintiff
 Hawaii Children's Blood And Cancer Group

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF HAWAII

Hawaii Children's Blood and)	Civil No. CV 03-00708 SOM/LEK
Cancer Group,)	
)	CERTIFICATE OF SERVICE
Plaintiff,)	[Ex Parte Motion to Shorten Time]
)	
vs.)	
)	JUDGE: Hon. Susan Oki Mollway,
Hawai'i Pacific Health; Kapi'olani)	U.S. District Judge
Medical Specialists; Kapi'olani)	
Medical Center for Women and)	Hon. Leslie E. Kobayashi,
Children,)	U.S. Magistrate Judge
)	
Defendants.)	TRIAL: May 23, 2006
)	9:00 a.m.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the document referred to in the foregoing caption will be duly served upon counsel named below at their last known address, as follows:

TO: KENNETH S. ROBBINS, ESQ. via hand delivery
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Attorneys for Defendants
Hawai'i Pacific Health, Kapi'olani Medical Specialists,
and Kapi'olani Medical Center for Women and Children

Dated: Honolulu, Hawai`i, January 16, 2006

ARLEN D. JOUXSON
RAFAEL G. DEL CASTILLO

Atorneys for Plaintiff
Hawaii Children's Blood and Cancer Group